

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34604 of 2014

Arising Out of PS.Case No. -133 Year- 2014 Thana -BARAUNI District- BEGUSARAI

1. Durgesh Pandit S/o Nago Pandit R/o Village Adarsh Nagar Lagauli,
P.S. Barauni, District Begusarai.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shubhesh Pandey

For the Opposite Party : Mr. Yogendra Kumar (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 15-01-2015

Heard learned counsels for the petitioner,
informant and the State.

Petitioner is languishing in custody since
11.04.2014 in a case registered for the offences punishable
under Section 366A of the I.P.C.

It is alleged that informant's daughter was
being taught by this petitioner since last two years but she
went missing on 01.03.2014. The petitioner was also found
missing from that day. Consequently the F.I.R was registered
on 05.03.2014 on the written statement of the informant. The
victim in her 164 Cr.P.C statement got her age recorded as 15
years when Court has also assessed as such, though as per
medical opinion she was found between 15-16 years, where she
stated that on pretext of illness of her mother this petitioner
took her to Delhi and she stayed with this petitioner for one

month at Delhi and thereafter the petitioner left the victim to Begusarai.

It is submitted by learned counsel for the petitioner that the victim in her 164 Cr.P.C statement has not stated about physical relationship during her stay at Delhi or even prior to that. The victim was examined by the Doctor on 06.04.2014 when the pregnancy of 31 weeks and 6 days were found.

Considering the inconsistencies in the statement of the victim in her 164 Cr.P.C statement and the petitioner having no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Refinery) P.S. Case No. 133 of 2014.

Shageer/-

(Dinesh Kumar Singh, J)

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